

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GARY WALKER,

Plaintiff

v.

CHCA MERRITT-SCULLY, *et al.*,

Defendants

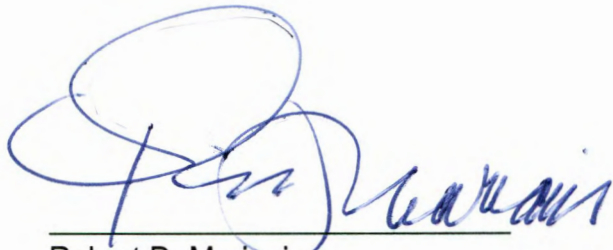
: Civil No. 3:21-cv-2167

: (Judge Mariani)

**ORDER**

**AND NOW**, this 8<sup>th</sup> day of February, 2023, upon consideration of the motion (Doc. 29) to dismiss by Defendant Diamond Pharmacy, and for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. The motion (Doc. 29) is **GRANTED**.
2. Plaintiff's medical malpractice claims are **DISMISSED** without prejudice.
3. The Clerk of Court is directed to **CLOSE** this case.
4. Any appeal from this Order is **DEEMED** frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).



Robert D. Mariani  
United States District Judge